

WASHINGTON RECEIVES THE ANCONA NOTE

Reply from Vienna Not Only Meets Cardinal Points of American Demands, but Gives Assurances for Future More Satisfactory in Extent Than Those Given by Germany.

INDEMNITIES MENTIONED

The Note Is Strikingly Similar to Germany's Last Reply in the Lusitania Case and Once Again Demonstrates That the Cool-Headedness of Foreign Office Prevails Over the Sensitive Admiralty's Attitude.

Washington, Dec. 31.—Austria's reply to the Ancona note not only meets the cardinal points of the American demands but gives assurances for the future which are considerably more satisfactory in extent than those which were given by Germany.

The full American official view will not be known until after President Wilson has studied the Austrian reply, which was received to-day from Ambassador Pennington and was immediately dispatched to Hot Springs by a White House messenger.

DANGER OF RUPTURE PASSED.

It may be stated authoritatively, nevertheless, that danger of a rupture of diplomatic relations has passed, and the controversy now enters the same stage as the Lusitania negotiations with Germany on even a more favorable basis.

Austria in the Ancona case has subscribed to the principle that no ship will be sunk, unless they offer resistance or fire, without the persons aboard being brought to safety. This is considered an assurance that is far-reaching and satisfactory.

Germany promised only not to "attack liners" until the persons aboard had been placed in boats. The designation "liners" has never been cleared up and the American government does not concede that placing persons in boats necessarily assures their safety.

Points which Austria leaves for further diplomatic correspondence are not considered of a nature to bring on a new crisis. Chief among them are questions of fact which affect Austria's responsibility for what happened before the submarine commander torpedoed the Ancona and their importance is minimized by the promise to pay indemnity for Americans lost regardless of the absence of proof as to just how they met their death.

The mere statement that the submarine commander has been punished for not making allowances for the panic on the ship undoubtedly will be accepted without question without further inquiry as to its nature.

NOT THE ADMIRALTY'S VIEW.

One of the features of the case which has attracted wide attention in official and diplomatic quarters is the apparent similarity of the proceedings in the Ancona case with those in the Lusitania controversy. In both cases, observers noted that the foreign office view finally prevailed over those of the admiralty which in each case was hostile to the conclusions of the United States.

The sinking of the Japanese liner Yuseki Maru and the French liner Villa de la Clota after the second American note was received in Vienna are accounted here on the theory that the Austrian admiralty, holding out for its submarine policy, had not then issued new instructions to the submarine commander.

Count von Bernstorff, the German ambassador, conferred with Secretary Lansing to-day on the Lusitania case and it was said that while no communications were passed, views were exchanged and it was indicated that the promised settlement is not far off.

ATRIA'S REPLY.

Austria's reply to the demands of the United States in the case of the torpedoed Ancona was received to-day by the State department and the full text was made public to-night. It is considerably more than 2000 words in length. There is a clear difference in the translation from that of the version furnished by Reuters' Telegram Co. to the London press yesterday morning, but the statements are identical in substance. The note holds to the principle that the commander of the torpedoed liner should not be held responsible for the deaths of the passengers. It concludes as follows:

"With full consideration, however, of this conduct of the commander, aimed at accomplishing the rescue of the crew and passengers, the imperial and royal marine authorities reached the conclusion that he had omitted to take adequate consideration of the fact that the boat had been on among the passengers which rendered difficult the taking to the boats and the spirit of the regulation that imperial and royal marine officers shall fail in giving help to nobody in need, not even to an enemy.

"Therefore the officer was punished in accordance with the existing laws, for exceeding his instructions.

QUESTION OF INDEMNITY.

"The imperial and royal government in the face of this state of affairs does not consider it to draw the corresponding conclusions respecting the indemnification of American citizens affected by the sinking of the prize, but in this regard it makes the following statement:

"The investigation into the sinking of the Ancona could naturally furnish no essential points to show in how far a right to an indemnity is to be granted American citizens. The imperial and royal government cannot, indeed, even

according to the view of the Washington cabinet, be held liable for damages which resulted from the undoubtedly justified bombardment of the fleeing ship.

"It should just as little have the answer for the damages which came to pass before the torpedoing of the ship through the faulty lowering of lifeboats or the capsizing of lowered boats.

"The imperial and royal government must assume that the Washington government is in a position and disposed to give (the Austro-Hungarian government) the required, and certainly not unimportant information in this respect.

"WILL DO THE RIGHT THING.

"If, however, because of possible lack of material proofs, the particular circumstances under which American citizens suffered damage should not have become known to the union government, the royal government in consideration, for the humane desire to preclude incident, and by a desire to preclude against its friendly feelings toward the American government, would be gladly willing to disregard this gap in the evidence and to extend indemnities also to those damaged whose cause cannot be established.

"While the imperial and royal government may probably consider the affairs of the Ancona as settled with the foregoing statements, it reserves to itself at this time the right to bring up for discussion at a later period the difficult questions of international law connected with submarine warfare.

"The undersigned has the honor to request most respectfully that His Excellency, the ambassador of the United States of America, will be pleased to bring the foregoing to the attention of the federal government and takes advantage of this opportunity to renew to His Excellency an expression of his most especial esteem.

(Signed) BURIAN."

POPE CONGRATULATES CARDINAL FALCONIA

On latter's 50th Anniversary of Ordination to Priesthood.

Rome, Jan. 2.—Pope Benedict has sent to Cardinal Diomedeo Falconio, former apostolic delegate to the United States, congratulations upon the fact that on January 4, 1866, he celebrated the 50th anniversary of his ordination to the priesthood, which took place in the cathedral at Buffalo, N. Y. The pontiff added to his congratulations appreciative words for the United States where the cardinal spent many years of his ecclesiastical career.

It is reported here that Cardinal Mercier, primate of Belgium, is again expected in Rome if he can obtain an absolute guarantee that Germany will not prevent his return to Belgium.

C. W. FAIRBANKS PRESIDENT, SAYS INDIANA G. O. P.

Indianapolis, Ind., Dec. 31.—Former Vice-President Charles W. Fairbanks was endorsed at a love feast here to-day as Indiana's choice for the republican nomination for president and at the same meeting which filled to overflowing the largest theatre in the State, he was pledged the solid delegation in the national convention at Chicago next June.

Mr. Fairbanks was given a noisy ovation when he responded to an invitation to speak, after his name had been proposed for the presidential nomination by Edwin P. Morgan of Kentucky.

"The people have tried democracy," said Mr. Fairbanks, "and democracy has tried them. The result has been a reunited, re-hatched party of opposition. There is no divided republicanism here—we are reunited as of old."

He urged the necessity of not only adequate national preparedness against hostilities, but also adequate national protection against industrial invasion. In suggesting a platform for the republicans in 1916, Mr. Fairbanks said: "We must maintain a foreign policy just and firm. We must make adequate preparation on land and sea for a national defense measured by our national needs. We must adopt a protective tariff measure which shall safeguard our industries and supplement the resources of the public treasury, and guard us against inundation at the end of the European war. We must proceed to adopt a broad, enlightened policy for extending American markets, particularly into the Orient and into South America. We must put a genuine merchant marine on the seas which will give us a vast carrying trade into the markets of the world."

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EXPERIMENTS WITH WILLARD S. ISHAM SHELL ABANDONED

Vermonters' Invention Fails to Accomplish Purpose for Which It Was Intended.

Washington, Dec. 30.—Abandonment of experiments with the high explosive shell fuse for navy use invented by Willard S. Isham is unanimously recommended by the special board of naval officers headed by Rear Admiral Fluke which has been investigating the subject for the last 15 months. The board finds that the fuse fails to accomplish its object, described as being to make possible shell fire against the unprotected hulls of warships below the waterline.

The final report of the board upon which Captain J. A. Hokeveroff and Rear C. Smith, and Lieut.-Commander H. G. Sparrow served and to which Professor Dodge also was attached for a time, was given out to-day by Secretary Daniels. The last Congress made special appropriations to carry out the experiments but the board now recommends that the board stop pay for any further tests himself.

The report follows in part: "Conclusions: As shown in Mr. Isham's letter to former Representative Hobson, it is his belief that he has developed or can develop a shell and fuse the main virtue of which is that in addition to its detonating if it hits thick or thin armor, it will detonate on hitting the water, nor will it, at certain ranges, ricochet, but will detonate after making an underwater run of some length sufficient to lose its forward velocity or on striking an object. He believes that by this effect such detonation will vitally damage a ship's understructure at a considerable distance. He advocates the use of a very high explosive in such shell, but is willing for the time being, to defer to naval opinion in the use of less sensitive explosives.

"After 15 months' experiments and tests, Mr. Isham has failed to produce a fuse to secure the object he seeks. "Recommendation: The board recommends that no further experiments be conducted by Mr. Isham at government expense."

STATE BUILDING BIDS.

Marr & Gordon, Barre, Lowest by \$19,000.—Contract Not Awarded.

Montpelier, Dec. 30.—Bids for the granite contract for the new State building to be erected for the use of the State library, supreme court, etc., were opened at two o'clock this afternoon at the State House by the commission, of which Governor Gates is chairman.

All the members of the commission were present and five bids were received, that submitted by Marr and Gordon of Barre being the lowest by nearly \$19,000. The meeting was held in the executive chamber and lasted the entire afternoon without the contract being awarded, although it is conceded that Marr and Gordon will receive the contract for the work.

Following is the list of bids as opened: Marr and Gordon, Barre, \$59,000 for the contract complete, including setting up the stone, \$50,000, granite cut and delivered; Woodbury Granite company, \$75,100; first item, \$5,250; second item, Jones Brothers, Barre, \$83,800; first item, \$5,250; second item, E. H. Fletcher, East Barre, \$62,200; second item only; J. B. Sanguntini, Barre, \$82,900; first item, \$5,250; second item, in addition each bidder gave the amount to be deducted provided certain specifications were omitted, such as paving the front and using posts and balustrades.

Mr. Marr and Gordon secure the contract, it became known that Wetmore and Morse would furnish the rough stock and the bidder would cut the same. In response to questions asked by the commission it was asserted that the furnishing of the stone could be completed within three and a half months after the show drawings were approved. The general of the bidders were present and told of the facilities they had for quarrying and cutting the granite.

C. H. Robbins of Barre, representative of the firm of Benmore and Lecher, architects, informed the commission that the bids for the general contract would be advertised within a week or two and said that the bidding was favorable weather conditions prevailed work could be started on the new building March 1. He would desire to have the first delivery of granite made by the middle of April.

SEVEN NEW STATES BEGIN NEW YEAR "DRY"

Iowa, Colorado, Oregon, Washington, Idaho, Arkansas and South Carolina.

Chicago, Dec. 31.—State-wide prohibition of the sale and manufacture of intoxicating liquors will become effective in seven States at midnight to-night, putting out of business more than 2,000 saloons, a large number of breweries, wholesale liquor houses and distilleries.

The States which are to enter the dry column are Iowa, Colorado, Oregon, Washington, Idaho, Arkansas and South Carolina. Many counties in all of the seven States have prohibited the sale of liquor for a number of years under local option laws.

According to one authority between \$2,000,000 and \$3,000,000 have been expended for liquor in Colorado within the last week. Arkansas will have its first experience with prohibition when the State-wide law passed by the last Legislature goes into effect with the coming of the State Prohibition department of the Anti-Saloon League has announced that the league will have workers in the field to see that the law is enforced.

In the State of Washington, the initiative prohibition law ratified in November, 1915, permits residents to purchase from dealers outside the State three quarts of spirituous liquor or 12 quarts of beer each twenty days.

Iaho will go dry to-night by virtue of statutory prohibition. Most of the State has been dry under local option and only about 150 saloons will be forced out of business. Idaho's prohibition law is said to be the most drastic in the Union. It not only prohibits the manufacture and sale of liquor but makes possession of any kind of malt or spirituous liquor a crime, excepting wine for sacramental purposes and pure alcohol for medicinal, scientific and mechanical uses.

Which is procurable only on an order from the probate court. In Iowa "barren day sales" in the 500 saloons of the State are in progress to-day preparatory to the final closing to-night. In Oregon the manufacture or sale of any kind of intoxicating liquor is absolutely prohibited by constitutional provision. Drunken stores are not permitted to sell liquor for any purpose with or without a doctor's prescription.

MELVIN H. MILLER DIES. Brother of Gen. Crosby Miller Succumbs at Son's Home in Richmond. Richmond, Dec. 31.—Melvin H. Miller of Randolph died this afternoon at 1:30 o'clock at the home of his son, William W. Miller. He was born in Pomfret, September 21, 1837, and remained on the home farm until several years after the death of his father and mother, Mr. and Mrs. Crosby Miller, when he sold the place and moved to Randolph. A few years ago he suffered the amputation of one leg because of hardening of the arteries and a little later lost the other leg from the same cause, after which he lost his mind and died.

A few months ago Mr. Miller made the trip to Richmond to spend the winter with his son. His room began to fall in health and for the last few weeks there has been no hope of his recovery. Before he lost his legs he was prominent in the affairs of the Vermont Dairyman's association and the Vermont Maple Sugar Association and was a prominent official at fairs in this part of the State.

Mr. Miller leaves a widow, who was Julia Ware of Pomfret, whom he married August 14, 1861, and who has been located in Richmond during his years of illness; one son, William W. Miller of Richmond; one brother, General Crosby P. Miller of Burlington; and two sisters, Mrs. Ellen M. Chandler of Tarrytown, N. Y., and Mrs. Emma L. McIntyre of Randolph, who is spending the winter with her daughter, Mrs. G. E. Landon, in Burlington.

The funeral services will be held Monday morning at 9:30 o'clock.

At Montpelier, 15 to 20 Below. Montpelier, Dec. 31.—The mercury dropped to between 15 and 20 degrees below zero this morning and late to-night there were indications that to-day's low temperature, the season's record, would be exceeded to-morrow. Montpelier Junction upheld tradition and its reputation for being the coldest locality of Vermont by reporting a low mark of minus 22.

The people who are "bitching of buying a home" have most of this thinking on the real estate advertising which they read. "Recommendation: The board recommends that no further experiments be conducted by Mr. Isham at government expense."

CONSTRUCTION OF RAILROADS IN U. S. LOWERED IN 1915. Chicago, Dec. 30.—Fewer miles of railroad were built in the United States during 1915 than in any other year since 1914 and more miles of railroad were laid down before the war than in any other year before the war. The year that has just closed was the first in which the increase in the railway mileage was less than 1,000 miles since the Civil War years of 1864 and 1865.

In 1915 the total miles of new railroad constructed in the United States were 352 compared with 1,532 in 1914 and 5,561 in 1913. There also was a reduction in the second trackage built.

The largest mileage of new road in one State was built in Pennsylvania which received 100 miles.

According to the statistics quoted, receivers now hold and operate 28,631 miles of railroad with a total funded debt of \$1,697,852,500 and a total capital stock of \$1,697,852,500. The roads in the hands of receivers represent nearly a sixth of the total mileage and capitalization of the railroads of the United States.

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KIRCHWEY BEGINS WRITING WORK AT SING SING PRISON

Thomas Mott Osborne Makes a Farewell Address to the Inmates Which Is Greeted with Cheers by the Prisoners.

EX-WARDEN IN GOOD HUMOR. Says His Absence Is Only Temporary and Is the Same as Leave on Account of Illness—Encourages Welfare League.

Osining, N. Y., Dec. 31.—Dean Kirchwey to-night assumed his duties as warden. He showed a commission from Superintendent of Prisons Riley, which names him as warden without any qualifications concerning temporary appointment. Asked if he was to be warden permanently he replied, "The commission speaks for itself."

He will start with a "clean slate," he stated. "I will have no favorites and will be fair and just to all the men under my care. I certainly will make no changes until I have felt my way along."

Upon his arrival at the prison Dean Kirchwey was presented with a set of resolutions signed by the executive board of the Mutual Welfare League pleading for the hearty support of the league. A copy of the resolutions will be forwarded by the league to Governor Whitman.

Thomas Mott Osborne to-day made a "farewell address" to the inmates of Sing Sing prison. He was greeted with cheers and pledges of support from George W. Kirchwey, who is to take his place, temporarily at least. Mr. Osborne declared that he is still warden of Sing Sing and assured the men that the Mutual Welfare League will be continued.

"The situation is precisely the same," he said, "as if I should be seized by sickness and some one was assigned to perform my duties for me." He added that he was much pleased at the decision of Governor Whitman and Superintendent of Prisons Riley. "It gives the league a chance to continue its development unhindered by its enemies," he declared. "The league is here to stay. I know that it is going to continue and that you are going to show better things in the future than in the past."

REPUBLICAN BANQUET TO REP. B. H. SNELL. Men of Prominence Toast Recently Elected New York Congressman. Malone, N. Y., Dec. 31.—One hundred and fifty Franklin county republicans, including many prominent attorneys, statesmen and citizens from every New York town, were present last evening at a republican dinner given at the Placidian in honor of Congressman B. H. Snell of Potsdam. Among the speakers who responded to toasts were: Deputy Comptroller Fred Rensselaer of Albany; Hon. W. A. Weaver of Peru; Hon. H. W. Knapp of Moores; J. G. Gross of Tupper Lake; Hon. N. Monroe Marshall and Attorney H. W. Nain of Malone; Deputy State Conservation Commissioner Alexander MacDonald of Albany; Hon. W. T. Thayer of Chateaufort; Editor Charles M. Redfield of Malone and Congressman Snell.

The keynote of Mr. Snell's remarks was "Farewell, Adequate to Uphold the Rights and Honor of our Country." It marked the first public address given by Mr. Snell in Franklin county since his election over H. D. Stevens of Malone. The latter was a guest at the banquet. Attorney E. C. Lawrence of Malone presided as toastmaster in place of the Hon. E. D. Kilburn, who was unable to be present owing to a fall in the train on the morning of the banquet.

The banquet was given by the members of the Franklin county republican committee, of which F. Roy Kirk is chairman.

RUTLAND SCHOOL GIRLS RUN AWAY

Charlotte, Vermont, 15, and Doris Vaughan, 12, Leave Home at Night.

Rutland, Dec. 31.—Notwithstanding the fact that the thermometer stood at 10 below zero and they had only a few cents in their pockets after paying their railroad fare Miss Charlotte Vaughn, age 15 years, niece of Fred Smart of this city, and Miss Doris Vaughan, 12, daughter of Fred S. Vaughan, started out on a journey to New York City to-morrow morning. It is believed that they went to Albany, N. Y., and relatives have gone there to look for them, the police having been wired to be on the lookout.

The absence of the girls was not discovered until their respective families arose at the usual time to-day. Both girls went to their rooms at their usual bedtime last night, showing no indication of anything wrong. They packed all of their clothing in suit cases. They had little money of their own but one of them is said to have taken some from the pocket of a sleeping male relative. Neither awakened anyone in the house and both left through the back door.

The girls were not seen on the street by anyone who recognized them but the night ticket agent, on being given a description of the girls' clothing, remembers selling two Albany tickets to young girls who wanted to go to New York but did not have enough money. The travelers left Rutland on the sleeper train. There is no evidence as yet that there were any men connected with the case. Both girls attended the public schools regularly.

GAYEST NEW YEAR'S EVE ON RECORD